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ABSTRACT

In their new roles as congressmen after the Civil War, blacks, for the first time in American history, advanced views of civil rights that reflected black perspectives. One scheme for analyzing black rhetoric suggests that black congressmen did not share the perspective held by many whites--that blacks were inept individuals. Rather, the black congressman's rhetorical perspectives attempted to illuminate relationships based not upon casual coexistence, but upon more permanent relationships as exemplified in analyses from definitions, examples, or testimony under specific rhetorical strategies. Thus, as noted by R. E. Nebergall, when defining entities or citing examples, black congressmen attempted to "capture essences," which dealt "with fundamental and unchanging properties." Testimony also proved to be an important source of analysis for black congressmen. Much of the testimony given was carefully selected from authoritative sources or eyewitnesses. By establishing the characteristics of blacks as legitimate members of society (as illuminated by their rhetorical strategy of participation and related analyses) or the justification for Congress to pass the pending civil rights bill (as illuminated by their rhetorical strategy of justification and related analyses), black congressmen endeavored to raise society's level of consciousness. (HOD)

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Rhetorical Perspectivism of Black Congressmen Upon the 1875 Civil Rights Bill

Paper presented at the November, 1984
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For the first time in American history, blacks, in their new roles as congressmen after the Civil War, advanced views of civil rights that reflected black perspectives. Unfortunately, only minimal attention by rhetorical scholars has been given to this important topic. The significance of this study, then, rests in its analysis of rhetorical perspectives of black congressmen upon the issue of civil rights during Reconstruction.

Rhetorical Perspectivism of Black Congressmen Upon the 1875 Civil Rights Bill

Slavery ended with the Civil War. But with the end of slavery, new questions arose concerning the treatment of the newly freed slaves. "If the Negro freedman was no longer a slave," asked Allen W. Trelease, "was he to be a full-fledged citizen with rights and privileges equal to those of any other citizen; or a dependent element in the population, free but not equal?"[1] The South in part responded to questions concerning freedmen by creating more black codes. In Mississippi, laws were passed which restricted blacks to plantations and prohibited them from renting or leasing land outside of town. In South Carolina, laws were passed making it "more difficult for Negroes than whites to work as artisans, mechanics, or storekeepers."[2]

Violence was also used to control blacks. They were subjected to a variety of punishments ranging from whippings to shootings. General William E. Strong, Inspector General, explained that blacks were "frequently beaten and shot down like wild beasts without provocation, followed with hounds and maltreated in every possible way."[3] Both the codes and violence, then, were designed to "keep the nigger in his place," and reflected a general perspective by many whites in the South that such treatment was necessary for handling freedmen.

A significant part of the general perspective mentioned above held the belief that blacks were inferior to whites. Or stated differently, blacks were less human than whites. And with blacks

free, many southern whites feared black domination and destruction of the white race. At a meeting of Conservatives in Alabama, one white speaker expressed the fears of many toward the newly freed blacks:

> We tell you fellow citizens that other and higher interests than those of the moment are at stake in the hour. The white race in America is about to forfeit by the machinations of a party [Republican], its hereditary supremacy over the black race in our country and to take an inferior scale of public life in America. . . . The white race, then, both North and South, is called to defend itself, by united efforts and energies, against this bold and avowed attempt to humiliate and degrade it.[4]

Consequently, those who feared domination of blacks in America likewise feared any attempt at granting them equal civil rights. White supremacists, in particular, thought it a mockery to grant such rights to a race who lacked virtue, honesty, morality and industry[5]--in short, characteristics which made them essentially human beings.

Blacks, on the other hand, grew tired of both white harassment and double standards used to evaluate the black race. In one black-owned newspaper, for example, a reporter explained:

> The most [unfair] . . . persecution of loyal men in the South is the increasing misrepresentation, slander and abuse to which we are subjected, not only among the vulgar, and in the street, but among

> the educated and wealthy, and in the public press.
>
> No release is open to us. The courts are closed against us, and the idea of personal satisfaction from a mob is absurd.
>
> It is unfortunate that the world is more ready to believe evil than good, and that after continual repetition these slanders are frequently credited by good and intelligent citizens.[6]

Clearly, blacks did not share the perspective of whites who believed the black race inferior. For blacks believed themselves to be human beings, who, like whites, were entitled to basic civil rights.[7] As one black Floridian so succinctly stated: "We know ourselves to be men, and feel capable of enjoying all the rights and privileges of manhood . . . and we yearn for them, and will not be content until we obtain them."[8]

Against this backdrop of violence and racism, blacks sought legal redress from a federal government skeptical of them as United States citizens. Blacks' concern at the federal level, however, was no longer voiced solely by white politicians. For the first time in United States history, blacks, in their new roles as congressmen, advanced views of civil rights that reflected black perspectives. Unfortunately, only minimal attention by rhetorical scholars has been given to this important topic. The significance of this study, then, rests in its analysis of rhetorical perspectives of black congressmen upon the issue of civil rights during Reconstruction.

In developing the analysis, the study first outlines a brief

theoretical framework of rhetorical perspectivism. Next, it outlines a brief classification of analysis for examining rhetorical perspectives. Finally, general assessment of the black congressmen's rhetorical analyses and rhetorical strategies existing in their perspectives is provided.

Rhetorical Perspectivism

The general theoretical premise of perspectivism is that all objects of experience derive their ontological heritage from the nature of their relationships to themselves and to other objects. As Richard Cherwitz and James Hikins point out in their seminal essay on perspectivism, "they [objects] all exist and are all entities in the world of nature according to the relationships in which they stand, both to their own characters and to the characters and complexes of characters exhibited by other entities."[9] In short, relations itself is what gives objects their meaning and ontological basis.[10] However, this does not mean that any stated relationship automatically equals reality. To say, for example, that Ms. X defied injury when she stood in front of a moving train may suggest a particular relationship between the facts but does not establish an accurate reality, especially if the relationship of facts had earlier suggested that Ms. X was in fact seriously injured when stepping in front of the moving train.

Cherwitz and Hikins advance three important postulates which become the cornerstones of perspectivism. They are:

Postulate 1: The Independence of Reality

> In experience there is presented to us, directly, a world of phenomena largely independent of our attitudes,

beliefs and values. . . .

Postulate 2: Relationality

The world is comprised of many particulars, and each deriving its nature from that context. Each particular exhibits various characters which themselves emerge wholly as a function of the relations in which the particular stands to other members of its context. . . .

Postulate 3: Consciousness

Consciousness is a natural event which occurs when and only when an entity comes to stand in a particular relationship to other entities within a context of particulars. Consciousness is itself a character of a specific kind and is always part of a corresponding asymmetrical relation also of a specific kind.[11]

Perspectivism is not limited to any one school of inquiry in determining knowledge or understanding. It absorbs all perspectives which help to discover relationships and which help to further the epistemological process of knowing--which in turn effects a human perspective. But coming to know or understand via a perspective suggest that some process(es) for identifying relationships needs to exist. Perhaps, one of the most obvious processes is rhetoric. For it plays an important epistemic role in helping humans to understand the world around them.[12] And, rhetoric does provide analyses for uncovering the existence of relationships within a context of particulars. One such analytical approach to rhetoric Richard Weaver provides with his classical rhetorical analysis that is useful for evaluating relationships within rhetorical

perspectives.

First, Weaver argues that "[r]hetoric has a relationship to the world . . . which forces the rhetorician to keep his eye upon reality as well as upon the character and situation of the audience."[13] Next, Weaver postulates that the analysis of subjects within a reality can occur under any of four general areas: a) definition, b) cause relationship, c) relationship of similarity and dissimilarity and d) testimony or authority.[14]

Hence, one way to view subject matter (and the relationship of entities within it), argues Weaver, is through definition. To define a subject, he suggests, is "to describe the fixed features of its being." Weaver further stipulates: "Definition is an attempt to capture essence. . . . Definitions accordingly deal with fundamental and unchanging properties."[15] Thus, to advance a definition is to present a reality of an unchanging nature--perfect in relationships between and among entities. Weaver expands this point, saying

> [t]hat which is perfect does not change, that which has to change is less perfect. Therefore if it is possible to determine unchanging essence or qualities and to speak in terms of these, one is appealing to what is most real in so doing. From another point of view, this is but getting people to see what is most permanent in existence, or what <u>transcends</u> the world of change and accident. The realm above the flux of phenomena, and definitions are of essences and genera.[16]

Within the realm of definition, he includes argument from fund-

amental principles and argument from example.[17] For Weaver, examples imply general classes in which such examples (entities) can be categorized and defined. Principles, too, imply general classes (such as proper behavior) in which relationships between and among entities can be defined.

A speaker who choses to argue from definition is, from Weaver's viewpoint, selecting the "highest [and no doubt most ethical] order of appeal."[18] By attempting to capture essences in objects, a speaker puts forth a perspective of reality which is often independent of his or her world view (as postulate one would suggest), and advances a reality true in its perfection of relationships. Or, put another way by Weaver: "If the real progress of man is toward knowledge of ideal truth, it follows that this is an appeal to his highest capacity--his capacity to apprehend what exists absolutely."[19]

A second method for analyzing a subject is by studying its causal relationships (which help raise our level of consciousness concerning relationships).[20] Since the possibilities of many causal relationships can exist within this analysis, it is considered by Weaver to be a less perfect form of analysis than that of definition.[21] For Weaver, then, causal analysis is a "lower-order source of argument because it deals in the realm of the phenomenal, and the phenomenal is easily converted into the sensational."[22]

A third form of analysis for interpreting a subject is to view the relationships of similarities or dissimilarities that can possibly exist between or among objects (as intimated in postulate 2).

Though a common type of argumentative analysis, Weaver finds it to be less perfect than that of definition. Hence, the conclusion(s) drawn from analysis by similarity or dissimilarity is at best probable in nature and thus subject to change in a context of particulars.

The final method of analyzing a subject is through verification by testimony from an external source. "If we are not in position to see or examine, but can procure the deposition of someone who is," states Weaver, "the deposition may become the substance of our argument."[23] Clearly, what is consequential within this form of analysis is the credibility of the source being cited (which may or may not help to raise consciousness about a reality of relationships). Weaver admits that this can be a persuasive and useful method for influencing attitudes. But he finds this form of reasoning, as with the previous two forms of reasoning, to be less perfect than that of definition. At times, too much uncertainty, believes Weaver, exists in the testimony of those who proclaim to be a witness or an expert but who may not be completely accurate in their assessment of the situation.

Thus, Weaver highlights the four general areas of analysis that help establish the framework for a rhetorical perspective. Weaver leaves little doubt, however, as to what form of analysis is highest in determining reality, wherein truth and knowledge lie. Yet, at the same time, he realizes that a speaker must be able to adapt to (be sensitive to) the situation and the audience. At times, then, lesser forms of analyses may be more persuasive and necessary for audience consumption. Still, he would no doubt encourage

a speaker to first seek, if possible, the highest, most ethical form of analysis: definition.

Within this analytical structure, it may then be possible to assess not only the types of relationships found in a speaker's rhetorical perspective but the qualitative nature of relationships as well. Such will be the case when assessing black congressmen's rhetorical strategies and analyses which effected their perspectives in support of the 1875 Civil Rights Bill.

Rhetorical Perspective of Black Congressmen Upon Passage of the 1875 Civil Rights Bill

Though a civil rights bill was introduced in 1872 by Senator Charles Summer of Massachusetts, he and other white congressmen could never fully appreciate or understand the experiences, nor perspectives, of black congressmen, who supported civil rights legislation. Rarely were white males subjected to the indignities that black Americans faced in areas such as education, justice or other places of public accommodation. Rarer still was their humanhood questioned. Blacks, however, were viewed by many whites to lack virtue, honesty, morality and industry.[24] Moreover, many believed blacks to be inferior thinkers, who had difficulty in controlling their emotional capacity when problem solving.[25]

What would happen then to American society when blacks were placed in authoritative positions (e.g., mayors, senators, representatives)? The answer for many whites was self-evident: blacks would be inept and corrupt public officials who would ruin America and seek revenge against whites.

The sixteen black congressmen, who were elected between the periods of 1870 and 1877, failed to share the rhetorical perspectives of those who believed blacks to be inferior and vindictive. Thus, black congressmen waged a rhetorical campaign to alter such perspectives by portraying blacks as decent human beings, who were entitled to the same civil rights shared by other Americans.

In analyzing the entities within the rhetorical perspective of black congressmen, it must be remembered that the nature and character of a particular (entity) is derived from the "relationship in which the particulars stand to other members of their context."[26] And more, the rhetorical perspective may not necessarily illuminate a view of reality which is accurate: that is, which reflects accurately the relationship of particulars within a context of particulars. Black congressmen, of course, wanted to advance rhetorical perspectives that were not only accurate but believable. Hence, they used specific rhetorical strategies and analyses to advance their perspectives.

One significant rhetorical strategy that black congressmen presented was that of participation.[27] Under this strategy, they attempted to demonstrate that blacks were active participants in America's development. Examples were frequently used to help categorize blacks as being <u>legitimate</u> participants. For instance, typical of such examples was that presented by black Congressman Robert Elliott of South Carolina. He cited specific examples of blacks involved in the Revolutionary War. "At the battle of New Orleans under the immortal Jackson," Elliott reported, "a colored

regiment held the extreme right of the American line unflinchingly, drove back the British column that pressed upon them at the point of bayonet."[28]

Black Congressmen James Rapier of Alabama agreed with his black colleague. But, unlike Elliott, he choose to advance the strategy not by example but by definition, asking the essence of the nature of relationships. That is, he asked if he and his fellow black congressmen were in fact men. If not defined as men, then he and they should not be allowed to continue participating in government. "After all," asked Rapier, "this question resolves itself to this: either I am a man or I am not a man." Responding to his own question, he reasoned that if they were humans, like white congressmen, then they deserved the same "privileges and immunities"; if not human, he and the other black congressmen held "their seats in violation of law."[29]

Analysis from testimony also played an important part in the black congressmen's strategy. Much of the testimony concerned the role of blacks in American wars. Typical was the response used by black Congressman Alonzo Ransier of South Carolina to those who claimed that blacks were not fighters. Turning to testimony of Major-General David Hunter of the United States Army, Ransier quoted Hunter's assessment of blacks in the military during the Civil War.

> The experience of arming the blacks, so far as I have made it, has been a complete and marvelous success. They are sober, docile, attentive, and enthusiastic, displaying great natural capacities

> in acquiring the duties of a soldier . . . and it is the unanimous opinion of the officers . . . that, in the peculiarities of this climate and country, they will prove incalculable auxiliaries, fully equal to the similar regiments so long and successfully used by the British.[30]

To a more limited degree, analysis by contrast was used by the black congressmen. In one case, Elliott contrasted the image of black forces and their relationship as soldiers within the context of war to the image of white forces from Kentucky. The reason for the contrast was in part to refute Representative James B. Beck's argument that blacks as soldiers were not fighters. In challenging Beck, Elliott highlighted the relationship that some white soldiers revealed--in this case from Beck's home state--within the context of war. In support of his perspective, Elliott read a statement from Andrew Jackson, who corroborated the contrasting relationships and "this indisputable piece of history." Reading from Jackson's statement, Elliott said: "At the very moment when the entire discomfiture of the enemy was looked for with a confidence amounting to certainty, the Kentucky re-enforcements, in whom so much reliance had been placed, ingloriously fled."[31] With this analysis, then, Elliott endeavored to underscore the indisputable relationship of certain white soldiers within a specific historical context and the role played by black soldiers who participated within a similar historical context.

A second major rhetorical strategy advanced by black congressmen was that of justification.[32] Central to the strategy was

Congress' right to pass the civil rights bill. Black congressmen were united in their rhetorical perspective concerning Congress' right to pass the bill. Opponents, however, saw it differently. Simply put, they argued that the rights of the states would be usurped if Congress passed such legislation.[33]

Black congressmen did not see congressional power ending at the state boundary line. If anything, they thought that Congress had both the power and moral responsibility in passing the civil rights bill. As with the strategy of participation, black congressmen used definition and testimony as major sources of analysis for advancing the strategy of justification. For instance, with the help of testimony, Elliott argued that Congress was within its rights and thus justified in passing the civil rights bill. Using testimony from the Supreme Court's decision on the slaughter house cases in New Orleans (which were used by congressional opponents as precedent for preventing Congress from passing the civil rights bill), Elliott claimed that the Court did recognize the power of the state in regulating the business of stocklanding and slaughtering in New Orleans, but only when such privileges enhanced the welfare of the entire community. If such privileges, however, created discriminatory practices based upon one's race, color or previous servitude, Congress had the power to stop such practices. For Elliott, the Court's decision did not provide any evidence in its transcripts for limiting Congress' power. On the contrary, the Court's decision recognized the powers of Congress. "But as it is a State that is to be dealt with," quoted Elliott, "And not alone the validity of its laws, we may safely leave that matter until Congress shall have exercised its power, or some case

of State oppression, by denial of equal justice in its courts shall have claimed a decision at our hands."[34] Thus, Elliott's use and analysis of testimony helped to define, as well as legitimize, Congress' role in passing appropriate legislation for protecting the individual when the state failed to do so.

Ransier argued from an analysis of definition upon the concept of "practical freedom" for justifying blacks' civil liberty and for justifying Congress' right to pass the civil rights bill. He reasoned that the Civil Rights Law of 1866 gave "effect to the [F]ourteenth [A]mendment, which was to secure all persons in the United States "practical freedom." In trying to define the essence of the concept, he turned to Sharswood's Blackstone. Quoting from the work, Ransier said:

> Civil liberty, the great end of all human society and government, is that state in which each individual has the power to pursue his own views of his interests and the dictates of his conscience, unrestrained, except by equal, just, and impartial laws.[35]

But for many blacks, "practical freedom," argued Ransier, remained more a concept than a reality: civil liberty, the goal of "practical freedom," eluded too many blacks. For them, "practical freedom," was neither "practical" nor "free." Thus, to aid blacks in achieving "practical freedom," Ransier argued that Congress was justified in passing appropriate legislation to accomplish this objective as further outlined by the Thirteenth, Fourteenth and Fifteenth Amendment.

Black Congressman Richard Cain of South Carolina shared a similar rhetorical strategy and perspective to that of his

black colleagues upon Congress' right and responsibility to pass the pending civil rights bill. Similar to Ransier, his main line of analysis came from definition. However, the source of his definition came from the Declaration of Independence. Like most black leaders, Cain accepted the Declaration's principles which defined a person's inalienable rights. Cain believed that these rights illuminated a natural law: one that said all people were equal (in relationship to the law). The purpose of government, then, was to protect the citizen from forces which might censor such rights. And Congress, argued Cain, had the constitutional right and moral obligation to pass a valid law which protected a citizen's "inalienable rights."[36]

A third major rhetorical strategy used by black congressmen was pointing out the inequities of the present system.[37] As with the other two strategies, definitions, examples and testimony became significant sources of their analysis. They pointed to inequities in the areas such as economics,[38] politics,[39] public accommodation,[40] or education.[41] The education issue in particular was an essential one to blacks. Many blacks viewed education as a key to unlocking their bonds of forced ignorance and as facilitating their assimilation into the American steam of life. Small wonder when the school doors opened to blacks, they did not hesitate to enter. Historian Francis B. Simkins commented, "The zeal with which the ex-slave sought the benefits of a literary education is unparalleled in history; this was the most obvious means of assimilating the white man's culture."[42] Blacks of all ages attended school--"white haired grandfathers alongside children learning the alphabet together."[43]

When black congressmen addressed the issue of inequities in education, they did not restrict their focus on equities to just blacks in schools but to whites as well. Black Congressman Josiah T. Walls of Florida, for instance, presented examples which helped define the basic roots of inequities existing within the system of education in the South. Walls attributed the weakness to two basic problems. First, a shortage of money existed to pay for quality education. And second, Democrats failed to support a system of free education. Pointing to the state of Georgia, as an example, he gave a brief historical account of its attempt to aid state education. Democrats in Georgia, he reasoned, did little to improve education. Concluded Walls, " . . . if we judge . . . the patriotism existing among the Democratic party in Georgia today from the course that party has persued . . . relative to free schools and the education of the negro, our conclusion will be that Georgia is now opposed to free school and the education of the negro and poor white . . . ."[44]

Cain constructed his line of reasoning upon testimony which helped to illuminate his rhetorical strategy and advance his perspective that blacks faced inequities in education. Referring periodically to authoritative reports, Cain summarized:

> The report of the commissioner of education of California shows that, under the operation of law and of prejudice, the colored children of that State are practically excluded from schooling. Here is a case where a large class of children are growing up in our midst in a state of ignorance and semi-barbarism. Take the report of the superintendent of Indiana, and you will find that while

> efforts have been made in some places to educate the colored children, yet the prejudice is so great that it debars the colored children from enjoying all the rights which they ought to enjoy under the law. In Illinois, too, the superintendent of education makes this statement: that, while the law guarantees education to every child, yet such are the operations among the school trustees that they almost ignore, in some places, the education of colored children.[45]

Like Cain, Congressman Rainey used testimony to highlight the problem of illiteracy which plagued both races. He believed that the problem was exacerbated by two key factors: 1) abridged school years (that were often due to lack of appropriate funding) and 2) irregular attendance patterns by students (that were often influenced by the first factor). Relying upon a report by the Commissioner of Education, Rainey cited some of its statistics on the status of education in the United States. The report revealed, for example, that in 1870 the state of Illinois had 126,000 students not attending school; that Maine's school year lasted less than five months; that only 60,000 students out of Arkansas' 100,000 student population attended on a regular basis or that "over two and one half millions in southern States over twenty-one years of age [were] unable to read and write and over one million in the northern States."[46] The report, then, underscored the relationships that both races, from Rainey's rhetorical perspective, had to the inequities in education.

From their rhetorical perspectives, black congressmen made clear their view as to which race received the bulk of inequitable treatment in America, especially in the area of education. They were, however, sensitive to the fact that unequitable conditions did not exist for just blacks. They broadened their perspectives which recognized the relationship that both races had to the particular problems of illiteracy on inadequate school funding existing within the particular context of education. Small wonder black congressmen fought so hard for inclusion of the education clause in the 1875 Civil Rights bill. Unfortunately, when the bill became law, it failed to contain the all important education clause.[47]

Conclusion

"It is infamy to give Negroes not only the vote but the right to hold office. The 'Cuffies and Gumboes' will forsake their plantations . . . and seek . . . the offices which Congress has so generously opened to them," complained Reverend Abram Ryan, the Confederacy's poet laureate.[48] Ryan's quote expressed the views of many whites who feared that having the inferior black in government would ultimately destroy it. In short, many whites doubted the ability of blacks for self-government. As a reporter for the Atlanta Constitution noted: "We are told that the negro is capable of self-government, but the authors of the discovery fail to tell use where he had demonstrated the ability, or developed anything like an administrative capacity."[49]

Clearly, many whites thought blacks to be inept individuals, whose capacity to reason doubtful at best. Moreover, many feared the presence of blacks in political office, whose rule had allegedly caused whites to suffer under "the African foot planted upon their necks."[50] Black congressmen, of course, did not share these perspectives. Rather, they attempted to put forth rhetorical perspectives in opposition to the general perspectives held by their white detractors. That is, the black congressmen's rhetorical perspectives attempted to illuminate relationships based not upon casual co-existence, but upon more permanent relationships as exemplified in analyses from definitions, examples, or testimony under specific rhetorical strategies.

The fundamental relationships that black congressmen attempted to establish were that blacks, like whites, were human beings who participated in America's development and that blacks, like whites, were entitled to the same basic civil rights associated with being United States' citizens. Thus, when defining entities or citing examples, black congressmen attempted to "capture essences," which dealt "with fundamental and unchanging properties."[51] Such definitions and examples were consequential to the analyses. They not only highlighted the "nature" (e.g., status as soldiers, slaves, farmers) to America's development but also established a reality based upon relationships that were often indisputable and independent from attitudes, values or beliefs of people who sought to discredit blacks as humans. Remember, as Cherwitz and Hikin's first postulate suggested, a large part of reality exists beyond the direct control of humans. Though critics attempted to refute the definitions of examples advanced by black congressmen, the

critics could not undo the reality of relationships depicting blacks as humans, as citizens of the United States or as participants in America's conflicts and developments as a country. Thus, by using the highest form of reasoning, according to Weaver, they endeavored to transcend views based essentially upon biases. Instead, they attempted to "capture the essence" of relationships established through definitions and examples which uncovered a reality of truth beyond the influence of rhetorical denial.

Testimony also proved to be an important source of analysis for the black congressmen. Much of the testimony given was carefully selected from authoritative sources or eyewitnesses. Stated differently, black congressmen chose not to rely upon heresay evidence for establishing arguments. Rather, they relied upon primary source material for developing points such as Congress' authority to pass the civil rights bill or inequitable conditions existing in education. Though testimony, definitions, and examples were not the only forms of analyses used, it is important to note in particular their use by black congressmen, especially since white detractors thought them incapable of sound reasoning practices.

Postulates two and three, as outlined by Cherwitz and Hikins, were also exhibited in the black congressmen's perspectives. By establishing the characteristics of blacks as legitimate members of society (as illuminated by their rhetorical strategy of participation and related analyses) or the justification for Congress to pass the pending civil rights bill (as illuminated by their rhetorical strategy of justification and related analyses), black congressmen endeavored to raise society's level of consciousness,

concerning the particular relationships of entities existing within their rhetorical perspectives. For black congressmen realized that passage of the bill was a meaningless act unless blacks were recognized (at a conscious level by whites) as human beings deserving of equal civil rights. Anything less than a conscious recognition threatened any serious attempt to assimilate blacks into American society.

Undoubtedly, the level of consciousness raising in whites would be in part influenced by the image of black congressmen. As noted earlier, blacks in government were a new phenomena in America. Until Reconstruction, only whites held such positions as Senators or Representatives. Now they had to share these roles with blacks. And, though small in numbers, black congressmen demonstrated a resolve that challenged the basic stereotypes (e.g., sambo, devils[52]) advanced by white detractors. Consequently, the image portrayed by blacks in Congress was neither one of passiveness or ruthlessness. They did not seek "Negro Rule." Nor did they display any pattern of vindictiveness towards whites in their rhetoric. On the contrary, the rhetorical perspectives that black congressmen advanced were not limited to aiding just blacks but all people. If special attention at times was given to blacks, it was done not to exhalt blacks above whites, but merely to assert that blacks were people, too, who deserved to share the same basic civil rights that whites shared. Thus, their congressional activity portrayed them as responsible, rational and honest legislators,[53] who sought simple justice for the race. They did not convey, then, the negative images often associated with slaves; they

instead conveyed images which gave credence to both their role as legislators and to their rhetorical perspectives on passages of the civil rights bill.

Finally, their rhetoric and rhetorical perspectives did help the civil rights bill become law in 1875. Mixed reactions greeted its passage, however. "It is the completion of the promise of equal civil rights," wrote Harper's Weekly. "Honest legislation upon the subject will not at once remove all prejudice, but it will clear the way for its disappearance."[54]

Other critics labeled it harmless.[55] Many believed blacks would not take advantage of the bill's provisions. "They [blacks] do not frequent hotels much," explained the Nation, ". . . and the number of theatres and opera houses in the South is not so great as to warrant the expectation of a great advance of the race through the influence of drama and music. Indeed it is a harmless bill and does not seem to have had much effect on the public opinion in the South."[56]

In 1883, the Supreme Court dealt the Civil Rights Act a death blow.[57] In a group of civil rights cases, the Court ruled that the Fourteenth Amendment did not give Congress jurisdiction over social relationships of blacks and whites. Their action was translated by blacks and sympathetic whites as a giant step backwards in promoting equal rights for blacks. Unfortunately, it would take almost another one hundred years before blacks would witness passage of an equally significant civil rights law (1964 Civil Rights Act) born largely from rhetorical perspectives similar to those advanced by black congressmen a century earlier.

END NOTES

[1]Allen W. Trelease, Reconstruction: The Great American Experiment (New York: Harper and Row, 1971), p. 9.

[2]Trelease, p. 44.

[3]William S. McFeely, Yankees Stepfather: General O.O. Howard and the Freedmen (New Haven: Yale Univ. Press, 1968), p. 69.

[4]New Orleans Daily Picayune, 10 October 1867.

[5]New Orleans Daily Picayune, 17 October 1867; Trelease, p. 21; Atlanta Constitution, 8 October 1867; Cal M. Logue, "Rhetorical Ridicule of Reconstruction Blacks," Quarterly Journal of Speech, 62 (December 1976), 403.

[6]New Orleans Tribune, 6 January, 1869.

[7]See William A. Haskins, Rhetorical Vision of Equality: Analysis of the Rhetoric of the Southern Black Press During Reconstruction," Communication Quarterly, 29 (Spring 1981), 116-122.

[8]Washington, D.C., New National Era, 13 March 1873.

[9]Richard A. Cherwitz and James W. Hikins, "Rhetorical Perspectivism," Quarterly Journal of Speech, 00 (August 1983), 258. Emphasis added.

[10]Cherwitz and Hikins, p. 260.

[11]Cherwitz and Hikins, pp. 251-252.

[12]Robert L. Scott, "On Viewing Rhetoric as Epistemic," Central States Speech Journal, 18 (February 1967), 9-16; Robert L. Scott, "On Viewing Rhetoric as Epistemic: Ten Years Later," Central States Speech Journal, 27 (Winter 1976), 258-266.

[13]Roger E. Nebergall, ed., Dimensions of Rhetorical Scholarship (Norman: Univ. of Oklahoma, Dept. of Speech, 1963), p. 53.

[14]Nebergall, pp. 53-54.

[15]Nebergall, p. 53.

[16]Nebergall, p. 55. Emphasis added.

[17]Richard L. Johannesen, ed., Contemporary Theories of Rhetoric: Selected Readings (New York: Harper and Row, 1971), p. 190.

[18]Johannesen, pp. 189-190.

[19]Nebergall, pp. 55-56.

[20]Nebergall, p. 53.

[21]For an interesting analysis of the possible weaknesses in causal reasoning, see Kenton F. Machina, Basic Applied Logic (Dallas, Scott, Foresman and Co., 1982), pp. 328-338.

[22]Nebergall, p. 57.

[23]Nebergall, p. 54.

[24]New Orleans Daily Picayune, 10 October 1867; Atlanta Constitution, 8 October 1867.

[25]New Orleans Semi-Weekly Louisiana, 14 April 1872.

[26]Cherwitz and Hikins, p. 260.

[27]William A. Haskins, "The Rhetoric of Black Congressmen, 1870-1877: An Analysis of the Rhetorical Strategies Used to Discuss Congressional Issues," Diss. Univ. of Oregon, 1977, pp. 179-182.

[28]U.S., Congressional Record, 43rd Cong., 1st sess., 1874, II, 407. For further information concerning blacks in the Civil War, see James M. McPherson, The Negro's Civil War: How American Negroes Felt and Acted during the War for the Union (New York: Vintage Press, 1965), pp. 161-192.

[29]U.S., Congressional Record, 43rd Cong., 1st sess., 1874, II, 4784.

[30]U.S., Congressional Record, 43rd Cong., 1st sess., 1874, II, 1313. For additional examples, see: U.S., Congressional Record, 43rd Cong., 1st sess., 1874, II, 407; U.S., Congressional Record, 43rd Cong., 2nd sess., 1874, III, 1152; U.S.,Congressional Record, 43rd Cong., 1st sess., 1874, II, 1312.

[31]U.S., Congressional Record, 43rd Cong., 1st sess., 1874, II, 407.

[32]Haskins, pp. 182-189.

[33]U.S., Congressional Record, 43rd Cong., 2nd sess., 1874, III, 375.

[34]U.S., Congressional Record, 43rd Cong., 1st sess., 1874, II, 408.

[35]As quoted in U.S., Congressional Record, 43rd Cong., 1st sess., 1874, II, 383.

[36]U.S., Congressional Record, 43rd Cong., 1st sess., 1874, II, 566.

[37]Haskins, pp. 189-193.

[38]U.S., Congressional Globe, 42nd Cong., 2nd sess., 1872, XLV, 491; U.S., Congressional Record, 43rd Cong., 2nd sess., 1875, III, 184; U.S., Congressional Record, 43rd Cong., 2nd sess., 1875, III, 541.

[39]U.S., Congressional Globe, 42nd Cong., 1st sess., 1871, XLIV, 39; U.S., Congressional Record, 44th Cong., 1st sess., 1876, IV, 3782; U.S., Congressional Record, 44th Cong., 1st sess., 1876, IV, 3783; U.S., Congressional Record, 44th Cong., 1st sess., 1876, IV, 5540.

[40]U.S., Congressional Record, 43rd Cong., 1st sess., 1874, II, 344.

[41]For an interesting analysis of the educational issue, see the comments of black Senator Hiram H. Revels of Mississippi in U.S., Congressional Globe, 41st Cong., 3rd sess., 1871, XLIII, 1959-1060.

[42]Francis B. Simkins, "New Viewpoints of Southern Reconstruction," Journal of Southern History, 5 (February 1939), 59.

[43]Trelease, Reconstruction, p. 24.

[44]U.S., Congressional Record, 42nd Cong., 2nd sess., 1872, XLV, 809.

[45]U.S., Congressional Record, 43rd Cong., 1st sess., 1874, II, 566.

[46]U.S., Congressional Globe, 42nd Cong., 2nd sess., 1872, XLV, 15-16.

[47]U.S., Congressional Record, 43rd Cong., 1st sess., 1874, II, 566. When the Civil Rights Bill became law in 1875, it failed to contain the education clause. John Hope Franklin, Reconstruction: After the Civil War (Chicago: The Univ. of Chicago Press, 1961), p. 201.

[48]Claude H. Nolan, The Negro's Image: The Anatomy of White Supremacy (Lexington, Kentucky: Univ. of Kentucky, 1967), p. 55.

[49]Atlanta Constitution, 30 July 1868.

[50]Mobile Daily Register, 25 October 1870.

[51]Nebergall, p. 53.

[52]David W. Nobel, The Progressive Mind, 1890-1917 (Chicago: Rand McNally and Co., 1973), p. 82.

[53]John Hope Franklin, From Slavery to Freedom: A History of Negro Americans, 3rd ed. (New York: Alfred A. Knopf, Inc., 1967), p. 321.

[54]As quoted in Kenneth M. Stampp, The Era of Reconstruction, 1865-1877 (New York: Alfred A. Knopf, 1966), p. 140.

[55]The Nation, 5 March 1875, p. 141.

[56]The Nation, 5 March 1875, p. 141.

[57]Stampp, p. 140.